

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Walsh et al.
Filed: Concurrently Herewith
For: METHOD FOR PREPARING RADIOLABELED
THYMIDINE

December 15, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
CITATION UNDER 37 C.F.R. § 1.97**

Sir:

Attached is a list of documents on form PTO-1449. In accordance with the Office waiver published July 11, 2003, copies of the cited U.S. patents and patent application publications are not enclosed. Applicant does enclose copies of any cited foreign patent documents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Respectfully submitted,

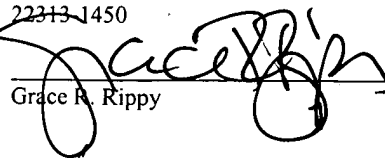


Timothy J. Balts
Registration No. 51,429

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

"Express Mail" mailing label number EV 331610305US
Date of Deposit December 15, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Applications, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Grace R. Rippey

Substitute for form 1449/PTO (Revised 04/2003) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	
				Filing Date	
				First Named Inventor	
				Group Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	
046242/270382					
U. S. PATENT DOCUMENTS					
Examiner Initials*	Cit e No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	1	US-3,894,000	07/08/1975	Wechter et al.	
	2	US-4,425,335	01/10/1984	Fujii et al.	
	3	US-4,490,366	12/25/1984	Fujii et al.	
	4	US-4,503,045	03/05/1985	Fujii et al.	
	5	US-4,599,404	07/08/1986	Fujii et al.	
	6	US-4,681,933	07/21/1987	Chu et al.	
	7	US-4,757,139	07/12/1988	Kawaguchi et al.	
	8	US-4,886,877	12/12/1989	Fujii et al.	
	9	US-4,904,770	02/27/1990	Starrett, Jr. et al.	
	10	US-4,908,440	03/13/1990	Sterzycki et al.	
	11	US-4,910,300	03/20/1990	Urdea et al.	
	12	US-4,921,950	05/01/1990	Wilson	
	13	US-4,937,329	06/26/1990	Reese	
	14	US-5,013,828	05/07/1991	Kikuchi et al.	
	15	US-5,070,078	12/03/1991	Selway et al.	
	16	US-5,093,232	03/03/1992	Urdea et al.	
	17	US-5,101,023	03/31/1992	Czernecki et al.	
	18	US-5,126,506	06/30/1992	Sterzycki et al.	
	19	US-5,179,200	01/12/1993	Molko et al.	
	20	US-5,190,926	03/02/1993	Chu et al.	
	21	US-5,204,456	04/20/1993	Molko et al.	
Examiner Signature			Date Considered		

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449/PTO (Revised 04/2003) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	
				Filing Date	
				First Named Inventor	
				Group Art Unit	
Examiner Name				Concurrently Herewith	
Attorney Docket Number				Walsh et al.	
Sheet 2 of 3				046242/270382	
U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	22	US-5,212,293	05/18/1993	Green et al.	
	23	US-5,218,106	06/08/1993	Sterzycki et al.	
	24	US-5,359,053	10/25/1994	Rogers et al.	
	25	US-5,428,148	06/27/1995	Reddy et al.	
	26	US-5,466,787	11/14/1995	Chen et al.	
	27	US-5,530,110	06/25/1996	Sowers	
	28	US-5,608,048	03/04/1997	Gandhi et al.	
	29	US-5,608,049	03/04/1997	Spector et al.	
	30	US-5,646,269	07/08/1997	Matteucci et al.	
	31	US-5,672,698	09/30/1997	Chen et al.	
	32	US-5,679,785	10/21/1997	Engels et al.	
	33	US-5,717,086	02/10/1998	Chambers et al.	
	34	US-5,760,208	06/02/1998	Abushanab et al.	
	35	US-5,932,719	08/03/1999	Abushanab et al.	
	36	US-6,060,592	05/09/2000	Acevedo et al.	
	37	US-6,121,438	09/19/2000	Abushanab et al.	
	38	US-6,326,491	12/04/2001	Abushanab et al.	
	39	US-6,362,329	03/26/2002	Abushanab et al.	
	40	US-6,369,040	04/09/2002	Acevedo et al.	
	41	US-2003/0004331 A1	01/02/2003	Komatsu et al.	
	42	US-2003/0087873 A1	05/08/2003	Stuyver et al.	
Examiner Signature				Date Considered	

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449/PTO (Revised 04/2003) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	
				Filing Date	Concurrently Herewith
				First Named Inventor	Walsh et al.
				Group Art Unit	
				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	046242/270382
OTHER DOCUMENTS					
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			English Language Translation Attached
	43	Balagopala et al., "An Improved Synthesis of Azidothymidine," <u>Nucleosides & Nucleotides</u> , 15(4), pp. 899-906, 1996			
	44	Varagnolo et al., " ¹⁸ F-labeled Radiopharmaceuticals for PET in Oncology, Excluding FDG," <u>Nuclear Medicine & Biology</u> , Vol. 27, pp. 103-112, 2000			
	45	Martin et al., "A new precursor for the radiosynthesis of [¹⁸ F]FLT," <u>Nuclear Medicine & Biology</u> , 29, pp. 263-273, 2002			
	46	Grierson et al., "Radiosynthesis of 3'-Deoxy-3'-[¹⁸ F]fluorothymidine: [¹⁸ F]FLT for Imaging of Cellular Proliferation <i>in Vivo</i> ," <u>Nuclear Medicine & Biology</u> , Vol. 27, pp. 143-156, 2000			
	47	Yun et al., "High radiochemical yield synthesis of 3'-deoxy-3'-[¹⁸ F]fluorothymidine using (5'-O-dimethoxytrityl-2'-deoxy-3'-O-nosyl-β-D-threo pentofuranosyl)thymine and its 3-N-BOC-protected analogue as a labeling precursor," <u>Nuclear Medicine & Biology</u> , 30, pp. 151-157, 2003			
	48	Shields et al., "Imaging Proliferation <i>in vivo</i> with [F-18]FLT and positron emission tomography," <u>Nature Medicine</u> , Volume 4, Number 11, pp. 1334-1336, November, 1998			
	49	Blocher et al., "Synthesis and labeling of 5'-O-(4,4'-dimethoxytrityl)-2,3'-anhydrothymidine for [¹⁸ F]FLT preparation," <u>Journal of Radioanalytical and Nuclear Chemistry</u> , Vol. 251, No. 1, pp. 55-58, 2002			
	50	Machulla et al., "Simplified labeling approach for synthesizing 3'-deoxy-3'-[¹⁸ F]fluorothymidine ([¹⁸ F]FLT)," <u>Journal of Radioanalytical and Nuclear Chemistry</u> , Vol. 243, No. 3, pp. 843-846, 2000			
	51	Wodarski et al., "Synthesis of 3'-Deoxy-3'-[¹⁸ F]Fluoro-Thymidine with 2,3'-Anhydro-5'-O-(4,4'-Dimethoxytrityl)-Thymidine," <u>Journal of Labelled Compounds and Radiopharmaceuticals</u> , 43, pp. 1211-1218, 2000			
	52	Vesselle et al., " <i>In Vivo</i> Validation of 3'-deoxy-3'-[¹⁸ F]fluorothymidine ([¹⁸ F]FLT) as a Proliferation Imaging Tracer in Humans: Correlation of [¹⁸ F]FLT Uptake by Positron Emission Tomography with Ki-67 Immunohistochemistry and Flow Cytometry in Human Lung Tumors," <u>Clinical Cancer Research</u> , Vol. 8, pp. 3315-3323, November, 2002			

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. CLT01/46239351v1